

From: Daniel Nichols
To: Microsoft ATR
Date: 1/23/02 6:51pm
Subject: Microsoft Settlement

[Text body exceeds maximum size of message body (8192 bytes). It has been converted to attachment.]

January 23, 2002

Dear Attorney Generals, Judge Colleen Kollar-Kotelly,

I would like to forward my comments on the Anti-Trust case against Microsoft. I have forwarded several articles about Microsoft's practices to Attorney General Tom Rielly and other Attorney Generals not settling the anti-trust case with Microsoft. I believe these states, companies that Microsoft has harmed, and the World pc user community has been severely harmed by the anti-competitive practices that Microsoft has done and will continue to do without strong restrictions.

Please let me state this again. We have already seen that Microsoft does not care about users, security, and robust applications.

I would first like to say that by allowing Microsoft to give it's software to school districts as punishment is no punishment at all.

I am writing this email on a computer at Pensacola Junior College in Pensacola, Florida. I also use the computers at 2 locations at West Florida Regional Library in Pensacola. There are no other computers, non-windows, for students and the community to use. All the computers have Windows operating systems (OS). All have Microsoft's Internet Explorer (IE) Browser installed. At the public library, the Bill Gates Foundation donated computers to the Library system, which in turn runs only the software Microsoft gives them. Some of the computers have AOL's Instant Messenger installed on them at the community college. So, while Mr. Gates donates his software, he has people indoctrinated on his products.

I dont believe Microsoft will adhere to or follow minor restrictions placed against the company. I dont believe that Microsoft will in any way change the company's practices anytime soon unless severe restrictions are in place.

I have been reading technology news for several years now. Microsoft has teamed up with Bristol and other companies coming up with new technologies. Microsoft

MTC-00019126_0002

then backs out of the deal holding part of the copyright and threatens to sue if they use it in an attempt to compete against Microsoft.

Another issue about the Anti-Trust case is that Microsoft wants to keep documents sealed from the court case. Why? If it is not trademark secrets, what is MS afraid of; the public seeing the true company plans (or the true company) and not liking what they see. I don't think that the court should seal the documents. If the documents harm Microsoft's image, let them live with what they have practice. Don't let them hide behind secrecy.

In the last year there have been major flaws in Microsoft software that proves that the company does not care about the consumer and is only thinking of the bottom line.

Let me point out the following:

Two business analyst recommended in late 2001 that companies using Microsoft's Internet Information Server(IIS) should think about an alternative server product due to attacks and security flaws in the product.

During a system crash, Office XP and IE was found to 'grab' information and send it back to Microsoft for operating system 'crash analysis.' This 'bug' or problem was found at the Los Alamos Laboratory. (I hope no one sent nuclear secrets to Microsoft, we'll have a whole new set of problems to worry about.) (Its the year 2002 and Microsoft has made Billions of dollars over the years and NOW they are getting concerned about security issues.)

In November or December of 2001, there was a report of Microsoft's SQL database having a significant vulnerability.

Windows XP was released in Sept 2001. 2 months later, in December 2001, it was reported that there was a major vulnerability that would allow a Windows XP computer to be taken over from 2500+ miles away. This was supposed to be the most stable and attack proof operating system for users.

The same vulnerability found in Windows XP was found

to be in Windows 98 and ME and there were suggestions that Microsoft knew about these exploits and still released Windows XP.

Microsoft implemented the Active Directory authentication service for Windows. This would lock the company to Microsofts service. There would be no reversing the procedure if you found out later that you did not like the way the service directory performs. You would have to do a complete deletion and start over with your organizations computers, printers, servers, users id and passwords, etc. But, some of Microsofts competitors raised interoperability questions and Microsoft restructured Active Directory to accept the Light-Weight Directory Access Protocol. (Seems weird when you look at it like that, Microsoft had the capability to use competing protocols all the time?)

Limiting servers on a directory service--re-pricing issues-- Window 2000 users cry foul
There are three new limitations on the proposed XP Server license: two processors only; no Application Mode Terminal Services operation; and a limitation of two Servers per Active Directory forest. This has caused howls of protest from the existing Windows 2000 users because they can see a whole new level of financial pain. Here's a typical scenario. Your headquarters has Advanced Server but your 100 regional offices are equipped with Server. You need a local server on each site, but you want them all in one Active Directory forest for easy management and control.

In the proposed repackaging, every one of those regional Servers will have to be upgraded to Advanced Server at a cost of more than 1000 each.

Before anyone leaps up and presses the panic button, be clear that these are proposed packages. There is no indication that they will end up in production, or that it will be the same case for select customers as for shrink-wrap.

<http://www.vnunet.com/Analysis/1126600>

I have used Microsofts Works home productivity software. In 1997-1998, I tried to help a friend with a resume. He had typed it on Microsoft Works and I went to the Junior College to format it and print it on a laser printer. At that time Microsoft did not

have a file reader for its own home productivity product to be read by MS Word 97. It would appear that Microsoft marketed Microsoft Works on pcs to be sold for home use. Then, when you brought a file in MS Word 97 format home, MS Works could not read it and the same for Works to Word 97. So the users wanting to read and edit files in MS Word 97 would have to go out and buy the \$125 plus Version of Word 97 for their home use. In March or April of 1998, Microsoft released a file reader for Word97, Excel 97, and I believe Power Point to view files on a pc without the original application. File incompatibility for revenue purposes?

During the first Anti-Trust hearing in 1994-95 and later there were documents and suggestions about Microsofts Windows 3.1 OS having hidden code.

<http://eatthestate.org/03-07/MicrosoftPlaysHardball.htm>

Microsoft plays hardball:

Of course, this is not new behavior for the software giant. In 1991, Microsoft employees launched an exceptionally dastardly plan to kill another competitor, DR DOS. DR DOS sales threatened MS-DOS, the early predecessor to Windows 95 that established Microsoft's operating system monopoly. DR DOS sales were on the rise--they doubled from \$15 million in 1990 to \$30 million in 1991. They soared again to \$15 million in the first quarter of 1992 alone. Then disaster struck.

Microsoft was writing Windows 3.1, an important upgrade to the hugely popular Windows 3.0. In September 1991, a plan was hatched to use this upgrade to kill DR DOS. In an email discovered by the Dept. of Justice, the head of Windows development and Microsoft VP David Cole wrote, "aaronr had some pretty wild ideas after three or so beers--earleh has some too." The plan was to plant code into Windows which would "put competitors on a treadmill" and cause the system to "surely crash at some point shortly later." In other words, Windows would intentionally bomb if it detected DR DOS.

At this time, many computer vendors were considering switching from MS-DOS to the superior, cheaper DR DOS. Microsoft was especially concerned about IBM. Wooing

these PC vendors was crucial to the future success of DR DOS, as was the good will of "early-adopters" (i.e., technically savvy users who drive new trends in the computer industry).

These vendors and early-adopters were also the same people who received a Christmas "beta" pre-release of Windows 3.1. They discovered--to their horror--that using DR DOS would cause vague system errors to pop up in Windows 3.1; they dumped DR DOS in droves.

More links to windows 3.1 error codes:

<http://www-cs-students.stanford.edu/~kkoster/microsoft/caldera.html>

<http://www.insecure.org/myworld.html>

And lets not forget what Microsoft is doing with its monopoly in Europe and the EU trying to rein Microsoft in. It would seem that not just the US and pc users are having a hard time trying to convince Microsoft of competing fairly. It is not in the companys corporate plan.

This article suggests that we hold companies liable for security breaches in their products. I guess you should ask Microsoft to re-write their end user license agreements EULA while you have their attention.

<http://news.com.com/2100-1023-821266.html>

In the end of 2001, a system security expert warned Microsoft of a severe vulnerability in Windows software. Microsoft waited for 8+ days to issue an alert. The security researcher released the problem to responsible teams. Microsoft labeled him an extremist. Only after the security researcher released the problem did Microsoft acknowledge the problem.

The last comment I want to make is this. You should want to buy the product not be forced to buy the product. If you are forced to buy the product, the company can make a product without much improvement and the quality of that product will suffer. I hope that I have highlighted some new information or reiterated some information for your review. Does Microsoft have the best products or is that the only

choice?

Thank you,

Daniel S. Nichols
548 Selina St
Pensacola, FL 32503

Do You Yahoo!?
Send FREE video emails in Yahoo! Mail!
<http://promo.yahoo.com/videomail/>

MTC-00014126-007